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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): ITL.1034US (P16844)

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on August 29, 2006

Signature

Typed or printed name Stephanie Petreas

Application Number	Filed
10/630,286	July 30, 2003

First Named Inventor: Robert T. George, et al.

Art Unit	Examiner
2181	Niketa I. Patel

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- [ ] applicant/inventor.
- [ ] assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- [x] attorney or agent of record. Registration number 42,117
- [ ] attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34

Signature

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August 29, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Robert T. George, et al.	§	Group Art Unit:	2181
Serial No.:	10/630,286	§	Examiner:	Niketa I. Patel
Filed:	July 30, 2003	§		
For:	Associating Address Space Identifiers With Active Contexts	§	Atty. Dkt. No.:	ITL.1034US (P16844)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REASONS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants seek pre-appeal review of the rejection of claims 1, 3, 5-14, 16-17, 20, 22-25, 27 and 29-33. It is respectfully submitted that the rejection to pending claims 1, 3, 5-14, 16-17, 20, 22-25, 27 and 29-33 is clearly erroneous and the burden of an appeal should be avoided.

Pending claims 1, 3, 5-14, 16-17, 20, 22-25, 27 and 29-33 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,510,508 (Zuraski). This rejection is clearly erroneous, as Zuraski fails to teach all of the recited subject matter of any of the claims and thus anticipation cannot be established. As to claim 1, Zuraski nowhere teaches a pipeline resource including entries that are selectably flushable on an address space basis. Instead, the flush filter of Zuraski, contended to be the pipeline resource, does not include entries that are selectively flushable. Nor does the TLB with which the flush filter is associated include such selectively flushable entries. Instead, as taught by Zuraski, the TLB is flushed in its entirety. Zuraski, col. 9, lns. 52-55 ("In the embodiment shown, TLB flush filter may assert an Invalidate signal in order to allow a flush of TLB 39."). Furthermore, the Examiner refers to col. 13, lns. 3-11. However, this portion

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Stephanie Petreas

similarly teaches that the entire TLB is flushed. Simply put, there is no teaching in Zuraski that either its flush filter or its TLB includes entries that are selectively flushable on an address space basis. Thus the rejection of claim 1 and its dependent claims is clearly erroneous.

Dependent claim 6 depends from claim 1 and further recites that the pipeline resource is a translation lookaside buffer. Because the Examiner asserts that it is flush filter 40 that is the pipeline resource contended to be selectively flushable on an address space basis, claim 6 is patentable for the further reason that Zuraski nowhere teaches that TLB 40 is flushable on an address space basis (as described above). For this further reason, the rejection of dependent claim 6 is clearly erroneous.

As to independent claim 8, Zuraski nowhere teaches hashing an address space identifier with a portion of a value before storage of the value and the address space identifier. The Examiner contends that the hashing recited in claim 8 is met by the teaching in col. 1, lns. 11-41 of Zuraski. However, this portion of Zuraski is simply the Background that teaches that memory management systems translate virtual addresses into physical addresses. Such translations do not perform a hash on any numbers; instead nowhere does this or any other portion teach that such translations are performed by hashing an address space identifier with a portion of a value associated with the address space identifier. Rather, all that Zuraski teaches in this regard is that virtual address-to-physical address translations, which may be obtained by "various mechanisms," are stored in a TLB. Simply put, nothing in Zuraski teaches hashing of address space identifiers with another value. Thus the rejection of claim 8 and the claims depending therefrom is clearly erroneous. This is especially so, as this portion of Zuraski does not even disclose address spaces whatsoever, and certainly not address space identifiers.

For similar reasons, independent claim 16 is patentable as clearly Zuraski nowhere teaches a hashing engine to hash an address space identifier with a portion of a value to be stored in an entry. Instead, all that the cited portions of Zuraski teach is a TLB that stores virtual-to-physical address translations. Look carefully at Zuraski. There is no reference to hashing, and certainly there is not structure that is indicated to be such a hashing engine. Accordingly, the rejection of claim 16 and its dependent claims is clearly erroneous.

Claim 20 is patentable for similar reasons discussed above regarding claim 1, as Zuraski nowhere teaches flushing a portion of a pipeline resource having the same address space identifier. Instead, the entire TLB of Zuraski is flushed, without regard to address space

identifier. Zuraski, col. 9, lns. 50-58; col. 11, lns. 9-16; col. 13, lns. 3-11. Thus the rejection of claim 20 and its dependent claims is clearly erroneous.

Independent claim 25 is patentable for similar reasons as claim 8. Specifically, Zuraski fails to teach hashing an address space identifier with at least a portion of a data value to be stored with the address space identifier in an entry of a pipeline resource.

Since these rejections are clearly violative of existing PTO policy, the need for an appeal should be avoided.

Respectfully submitted,

Date: 8/29/06

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